IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 29TH NOVEMBER 2006 / 8TH AGRAHAYANA 1928

Bail Appl..No. 7010 of 2006()

CMP.7199/2006 of J.M.F.C.,TIRUR
CRIME NO.391/06 OF KALPAKANCHERRY POLICE STATION

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PETITIONER/ACCUSED:

NOUSHAD @ MUTHU, S/O. MAMMU,
PARAMMEL HOUSE, PAIKKANNUR.

BY ADV. SRI.A.KRISHNAN

RESPONDENT/COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

B.A.No. 7010 OF 2006

DATED THIS THE **29th** DAY OF NOVEMBER, 2006

O R D E R

Petitioner, who is the sole accused in Crime No.391/06 of Kalpakancherry Police Station for offences punishable under sections 366 and 376 IPC, seeks bail. The occurrence took place on 10.11.2006. The petitioner was arrested on 14.11.2006.

2. The learned Public Prosecutor opposed the application.

3. The case of the prosecution is that the petitioner, who is the driver of a taxi jeep, who is aged 24 years, had forcibly taken a 17 year old victim who is a student of 10th standard in a jeep and had committed rape on her. Investigation of the case is still in the preliminary stage. If at this stage of the investigation, the petitioner is released on bail, he will definitely influence and intimidate the prosecution witnesses including the victim. I am not inclined to grant bail to the petitioner at this stage of investigation.

This application is accordingly dismissed.

V.RAMKUMAR, JUDGE

dsn